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REMARKS

I. Status Of The Claims And Support For The Amendment

Claim 21 has been amended. Claims 29-36 have been canceled. Claims 37-42 have been added. Claims 21- 28 and 37-42 are active in this application.

Support for the amendment of Claim 21 is found in the specification, for example, at page 2, lines 18-19; and page 4, lines 37-38.

Support for new Claim 37 is found in the specification at page 24, lines 37-39.

Support for new Claim 38 is found in the specification at page 25, lines 28-30.

Support for new Claims 39-42 is found in the specification at page 26, last paragraph, and page 27.

No new matter has been added by this amendment.

II. The Rejection Under 35 U.S.C. § 112, First Paragraph, Should Be Withdrawn

Claims 21-27 and 29-35 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly not described or enabled. Applicants respectfully traverse this rejection.

Claims 29-35 have been canceled without prejudice to or disclaimer of the subject matter therein. Claim 21 has been amended to recite an antibody or antigen-binding fragment thereof which specifically binds to the histamine receptor of SEQ ID NO: 2.

Claims 21-28 and 37-42 are described and enabled. Applicants respectfully request that this rejection be reconsidered and withdrawn.

III. The Rejection Under 35 U.S.C. § 102 Should Be Withdrawn

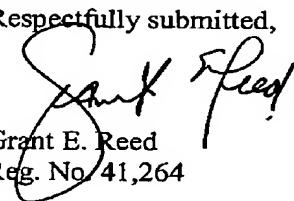
Claims 21-23, 25-27, 29-31 and 33-35 stand rejected under 35 U.S.C. § 102(b), as allegedly not novel over U.S. patent no. 5,011,912 ("the '912 patent"). Applicants respectfully traverse this rejection.

29-31 and 33-35 have been canceled without prejudice to or disclaimer of the subject matter therein. Claim 21 has been amended to recite an antibody or antigen-binding fragment thereof which specifically binds to the histamine receptor of SEQ ID NO: 2.

The '912 patent fails to teach either the histamine receptor of SEQ ID NO: 2 or the claimed antibody. Applicants respectfully request that this rejection be reconsidered and withdrawn.

CONCLUSION

It is believed that each of the objections and rejections in the Office Action have been addressed herein. If the undersigned can be of further assistance in advancing prosecution of this application, please contact the undersigned at the number set forth below.

Respectfully submitted,

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